

## DECLARATION AND POWER OF ATTORNEY - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (in only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**“Escherichia coli Strain Secreting Human Granulocyte Colony Stimulating Factor(G-CSF)”**

the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulation, § 1.56;

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, design or inventor's certificate or any PCT international application(s) listed below and have also identified below any foreign application(s) for patent, design or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed for the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day/month/year)	PRIORITY CLAIMED UNDER 37 U.S.C. § 119
Republic of Korea	10-2000-0017052	31/March/2000	[ X ] YES      NO [   ]
PCT	PCT/KR01/00549	31/March/2001	[   ] YES      NO [ X ]
			[   ] YES      NO [   ]
			[   ] YES      NO [   ]
			[   ] YES      NO [   ]

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S.A. Application(s)

Application No.:

Filing Date:

Status:

**POWER OF ATTORNEY:** I hereby appoint the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, **Customer No. 20,995.**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

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Full name of sole or first inventor: LEE, Sang-Yup

Inventor's signature

*Sang Yup L*

Day 22<sup>nd</sup> Month October Year 2001

Residence(city and country): Taejon, Republic of Korea

Citizenship:

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Post Office Address:

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Republic of Korea

Full name of sole or second inventor: JEONG, Ki-Jun

Inventor's signature

*Ki Jun Jeong*

Day 22<sup>nd</sup> Month October Year 2001

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Republic of Korea

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Attorney's Docket No.

HYLEE60.001APC

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Inventor or Patentee: LEE, Sang-Yup et al.

Case No.:

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Applicant or Patent No.:

Filed or Issued:

Title: **"Escherichia coli Strain Secreting Human Granulocyte Colony Stimulating Factor(G-CSF)"**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**

1. I, the undersigned, do hereby declare that:

- a. ☐ I am an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office with regard to the invention described in the patent or application identified above; OR
- b. ☐ While I am not an inventor, I declare that rights under contract or law have been conveyed to and remain with me with regard to the invention described in the patent or application identified above. I would qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying fees to the United States Patent and Trademark Office if I had made the invention; OR
- c. ☐ I am the owner of the small business concern identified below  
OR  
☐ I am an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS:

ADDRESS OF SMALL BUSINESS:

If either of the boxes in item (c) is checked, I further declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both. I further declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in the patent or application identified above; or

- d. ☒ I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION: KOREA ADVANCED INSTITUTE OF SCIENCE  
AND TECHNOLOGY

ADDRESS OF NONPROFIT ORGANIZATION: 373-1, Kusong-dong, Yusong-gu,  
Taejon 305-701, Republic of Korea

Inventor or Patentee: LEE, Sang-Yup et al.

Case No.:

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Applicant or Patent No.:

Filed or Issued:

Title: **"Escherichia coli Strain Secreting Human Granulocyte Colony Stimulating Factor (G-CSF)"**

TYPE OF NONPROFIT ORGANIZATION:

- ☒ [ X ] university or other institution of higher education
- ☐ [ ] tax exempt under Internal Revenue Service Code(26 USC 501(a) and 501(c)(3))
- ☐ [ ] nonprofit scientific or educational under statute of state of the United States of America  
(name of state: )  
(citation of statute: )
- ☐ [ ] would qualify as tax exempt under Internal Revenue Service Code(26 USC 501(a) and 501(c)(3)) if located in the United States of America
- ☐ [ ] would qualify as nonprofit scientific or educational under statute of state of the United States of America if located in the United States of America  
(name of state: )  
(citation of statute: )

If Box(d) is checked, I further declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in the patent or application identified above.

2. The individual, concern or organization identified above has not assigned, granted, conveyed or licensed, and is under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).
3. If the rights held by above-identified individual, concern or organization are not exclusive, each individual, concern or organization having rights in the invention are identified below. Each such individual, concern or organization must file separate verified statements averring to their status as small entities.

**\*Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).**

FULL NAME:

ADDRESS:

☐ [ ] INDIVIDUAL    ☐ [ ] SMALL BUSINESS CONCERN    ☐ [ ] NONPROFIT ORGANIZATION

FULL NAME:

ADDRESS:

☐ [ ] INDIVIDUAL    ☐ [ ] SMALL BUSINESS CONCERN    ☐ [ ] NONPROFIT ORGANIZATION

Inventor or Patentee: LEE, Sang-Yup et al.  
Applicant or Patent No.:  
Filed or Issued:

Case No.:

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Title: **"Escherichia coli Strain Secreting Human Granulocyte Colony Stimulating Factor (G-CSF) "**

4. I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small-entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: HONG, Chang-Sun

TITLE OF PERSON (if not an owner or individual):

ADDRESS OF PERSON SIGNING: 373-1, Kusong-dong, Yusong-gu, Taejon 305-701,  
Republic of Korea

SIGNATURE:

*Chang Sun Hong*

DATE:

*Oct 22, 2001*